

Serial No. 09/664,460
Art Unit No. 2684

REMARKS

Claims 1-11, 18-20, and 22-24 23 are pending in the patent application.

The Examiner has rejected Claims 1-3, 6, 8-10, 22, and 23 under 35 USC 102(b) as anticipated by the Hashimoto patent; has rejected Claims 4, 5, 7, and 11 under 35 USC 103 as unpatentable over Hashimoto in view of Antonello; and, has rejected Claims 18-20 under 35 USC 103 as unpatentable over the teachings of Hashimoto in view of Chambers.

Applicants note that the Examiner has not addressed Claim 24, which was newly added in the RCE which was filed on June 30, 2004. Since Claim 24 has not been considered, Applicants respectfully request that any Office Action generated by the Examiner in response to this amendment be in the form of a non-final action.

The present invention comprises means for dynamically associating a single called telephone number with at least two wireless devices; means for alerting the at least two wireless devices associated with the single called telephone number of a first incoming call from an originating device which is not one of the at least two wireless devices

YOR920000625

-10-

Serial No. 09/664,460
Art Unit No. 2684

associated with the single called telephone number; means for accepting one of the wireless devices as the answerer of said first incoming call to conduct the first incoming call with the wireless device; and means for transmitting a second incoming call, directed to the same single called telephone number, to one of the other wireless devices associated with that telephone number while the first call is in progress. In operation, the present invention dynamically associates a single called telephone number with more than one wireless device, and then, after accepting one wireless device as the answerer of a first call, dynamically associates a second telephone call to the same number with a different wireless device. Accordingly, two different telephone calls to the same telephone number can be conducted at the same time by dynamic connection to two different wireless devices.

The primary reference cited against the claims is the Hashimoto patent. The Hashimoto patent is directed to a system wherein calls along a PSTN can be directed to one cordless station or to a group of cordless stations, depending upon whether the call is an individual call or a group call. The Hashimoto system includes a controller at a

YOR920000625

-11-

Serial No. 09/664,460
Art Unit No. 2684

PBX which is connected to the PSTN, a plurality of radio control units at the PBX, a plurality of access units remotely located and one cordless unit associated with each access unit. In operation, the Hashimoto controller receives a call which is either a call to a single cordless station or a group call to all of the cordless stations. Hashimoto expressly teaches that signals passed between the controller and the access units and between the access units and the cordless stations contain a field indicating the type of call and a data field with a called station address number or a group address number (see: Col. 3, lines 45-48). In addition, Hashimoto teaches that "in response to an individual call, only one uniquely addressed cordless station is alerted" (see: Col. 3, lines 20-22).

Applicants respectfully assert that Hashimoto clearly teaches that a call to a single cordless station can only be connected to the one single cordless station identified by the called station address number and that a group call, which is directed to a group address number, is sent to all cordless stations. Accordingly, it cannot be maintained that Hashimoto anticipates claim language which expressly recites that two different calls, first incoming call and

YOR920000625

-12-

Serial No. 09/664,460
Art Unit No. 2684

second incoming call, to the same single telephone number, are dynamically associated with two different wireless devices at the same time (i.e., whilst the first incoming call is still in progress).

Applicants contend that the Hashimoto patent does not anticipate the invention as claimed. Applicants first contend that the Hashimoto patent does not teach one or more controllable interconnections between the telephone wirelines and the wireless signal generators. While Hashimoto shows the PBX, there is nothing in the description which teaches or suggests that there are controllable interconnections between the two types of entities at the PBX. In fact, Applicants note that known PBX technology provides for fixed interconnections at the PBX hub (see: e.g., USP 5,533,027 of Akerberg, et al, which was sent by the Examiner with the Office Action dated 11/21/03).

In addition, the Hashimoto system does not include means for dynamically associating an incoming call to a single called telephone number with at least two wireless devices. Rather, as demonstrated by the citations from Hashimoto above, the Hashimoto determines that a call is to a group address and routes it to all access units and their

YOR920000625

-13-

Serial No. 09/664,460
Art Unit No. 2684

associated cordless stations; or, determines that a call is an individual call and alerts only one uniquely addressed cordless station (Col. 3, lines 17-22). Accordingly, Hashimoto is using the station address number or group address number (see: Col. 3, lines 45-48) as telephone numbers which indicate the intended call destination. Clearly, Hashimoto is not dynamically associating a call to a single called telephone number (i.e., an individual call) to more than one wireless device.

Furthermore, Hashimoto does not provide means for alerting the at least two wireless devices associated with the single called telephone number of a first incoming call from an originating device which is not one of the at least two wireless devices associated with the single called telephone number. Since Hashimoto does not dynamically associate more than one wireless device with a call that is an individual call, it cannot be maintained that Hashimoto alerts those devices which have been dynamically associated with the call.

Since Hashimoto expressly teaches that each cordless station has a called station address number (Col. 3, line 47), then Hashimoto does not have means for accepting one of

YOR920000625

-14-

Serial No. 09/664,460
Art Unit No. 2684

more than one wireless devices as the answerer of a first incoming call, which has been dynamically associated with that call, in order to conduct the first incoming call with said wireless device. When Hashimoto receives an individual call, it can only associate the called station having the specified called station address number with the call.

Finally, Hashimoto does not provide any teachings which anticipate the claimed means for transmitting a second incoming call, directed to the same single called telephone number, to one of the other wireless devices associated with that telephone number whilst the first call is in progress. Hashimoto can only direct a call to more than one cordless station if the call is a group call. It does not dynamically associated different calls to the same number to different wireless devices. Hashimoto does not teach or suggest that an individual call can be routed to more than one cordless station. There is nothing in the cited Hashimoto teachings from Col. 4, lines 30-58 that either teaches or suggests that more than one incoming call to the same telephone number can be conducted at the same time. Clearly, therefore, Hashimoto does not anticipate that express claim language.

YOR920000625

-15-

Serial No. 09/664,460
Art Unit No. 2684

For a patent to anticipate claim language under 35 USC 102(b), that patent must teach each and every claim feature. Since the Hashimoto patent does not teach one or more controllable interconnections between the telephone wirelines and the wireless signal generators; does not teach means for dynamically associating a single called telephone number with at least two wireless devices; does not teach means for alerting the at least two wireless devices associated with the single called telephone number of a first incoming call from an originating device which is not one of the at least two wireless devices associated with the single called telephone number; does not teach means for accepting one of said wireless devices as the answerer of said first incoming call to conduct the first incoming call with said wireless device; and does not teach means for transmitting a second incoming call, directed to the same single called telephone number, to one of the other wireless devices associated with that telephone number whilst the first call is in progress, it cannot be maintained that Hashimoto anticipates the invention as claimed.

In rejecting Claims 4, 5, 7, 11, and 18-20, the Examiner has additionally cited the Antonello and Chambers

YOR920000625

-16-

Serial No. 09/664,460
Art Unit No. 2684

patents. The Antonello patent discloses a system and method for transmitting metering pulses with rate information to a wireless public call office (PCO). A local exchange is wired to a wireless local loop which transmits wireless signals to subscribers' remote wireless devices, including PCOs and public pay phones. Each subscriber has a dedicated wireline at the local exchange (see: Col. 4, lines 5-6), which in fact teaches away from controllable interconnections. Under Antonello, the local exchange determines the rate (i.e., cost per unit time) for a call and sends it on the dedicated landline (Col. 4, lines 19-21) to the wireless local loop, which transmits it over the forward voice channel to the wireless device (see: Col. 4, lines 38-44). The local exchange will further provide rate and metering change information to the wireless local loop when the rates change. It has been previously established that the Antonello patent provides no teachings regarding the claim features of means for dynamically associating a single called telephone number with at least two wireless devices; means for alerting the at least two wireless devices associated with the called telephone number of a first incoming call; means for accepting one of said

YOR920000625

-17-

Serial No. 09/664,460
Art Unit No. 2684

wireless devices as the answerer of said first incoming call to conduct the first incoming call with said wireless device; and means for transmitting a second incoming call, directed to the called telephone number, to one of the other wireless devices associated with that telephone number whilst the first call is in progress, which are expressly recited in all of the pending claims.

The Examiner is citing the Antonello patent for teachings the use of memory in the network control unit to include long term storage of information. Applicants respectfully assert that the inclusion of memory in the Hashimoto controller would not be enough to render obvious the present claims. Neither Hashimoto nor Antonello teaches or suggests that multiple incoming calls to a subscriber number be directed to different wireless devices dynamically associated with the one subscriber number. In fact, Antonello has each subscriber number dedicated to a particular wireline and Antonello has the wireless local loop transmit radio signals which the subscribers use to determine if the signal information is for them (see: Col. 4, lines 1-2). Applicants believe that even if one were to seek to modify Hashimoto with Antonello, one would not

YOR920000625

-18-

Serial No. 09/664,460
Art Unit No. 2684

arrive at the subject invention since Hashimoto does not teach the claim features and Antonello teaches away from the claim features.

Under U. S. Patent Law, obviousness can only be established based on some teaching or suggestion in the body of art existing at the time of the invention. Since neither Hashimoto nor the Antonello patent teaches or suggests the network node device as now claimed, including means for associating a called telephone number with at least two wireless devices, means for alerting the at least two wireless devices associated with the single called telephone number of a first incoming call from an originating device other than the at least two wireless devices associated with the called telephone number, means for accepting one of said wireless devices as the answerer of said first incoming call to conduct the first incoming call with said wireless device, and means for transmitting a second incoming call, directed to the same single called telephone number, to one of the other wireless devices associated with that same single telephone number whilst the first call is in progress, it cannot be maintained that the combination obviates the invention as claimed. Accordingly, Applicants

YOR920000625

-19-

Serial No. 09/664,460
Art Unit No. 2684

request withdrawal of the rejections based on a combination of teachings from Hashimoto and Antonello.

With respect to claims 18-20, Applicants refer to the arguments presented above with respect to the teachings of the Hashimoto patent. Applicants further note that the Chambers patent does not provide those teachings which are missing from Hashimoto. The Chambers patent discloses a system for connecting telecommunications lines to telephones, handsets, computers and other end user interfaces or consumer electronics devices in a residence or business. Chambers does not, however, teach or suggest the invention as set forth in Claim 1, and in Claims 18-20 which depend directly therefrom. The Chambers patent does not provide a network node device comprising one or more connections to one or more telephone wirelines for receiving incoming calls each specifying a telephone number; one or more wireless signal generators supporting one or more direct wireless connections to one or more wireless devices; one or more controllable interconnections between the telephone wirelines and the wireless signal generators; means for associating a single called telephone number with at least two wireless devices; means for alerting the at

YOR920000625

-20-

Serial No. 09/664,460
Art Unit No. 2684

least two wireless devices associated with the single called telephone number of a first incoming call from an originating device which is not one of the at least two wireless devices; means for accepting one of said wireless devices as the answerer of said first incoming call to conduct the first incoming call with said wireless device; and means for transmitting a second incoming call, directed to the same single called telephone number, to one of the other wireless devices associated with that same single telephone number whilst the first call is in progress, as is now recited in Claim 1, and in Claims 18-20 which include all of the limitations of Claim 1. While the Chambers patent may provide power supply teachings, that alone is not sufficient to obviate the claims which include all of the limitations of Claim 1.

With regard to Claim 24, Applicants again note that the Examiner did not address the claim language. Applicants respectfully assert that none of the cited references teaches or suggests the claimed means for selecting at least one wireless signal method to be used between the node device and the at least two wireless devices. Accordingly,

YOR920000625

-21-

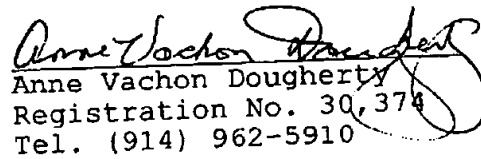
Serial No. 09/664,460
Art Unit No. 2684

Applicants again request that any response to this amendment be in the form of a non-final action.

Based on the foregoing amendments and remarks, Applicants respectfully request entry of the amendments, withdrawal of the rejections, and allowance of the claims.

Respectfully submitted,
R. E. Chapman, et al

By:


Anne Vachon Dougherty
Registration No. 30,374
Tel. (914) 962-5910

YOR920000625

-22-